DETAILED ACTION

1. The response of 12/11/2008 was received and considered.

2. The IDS of 9/15/08 was received and considered.

3. Claims 1-36 are pending.

Specification

4. The amendment filed 12/11/2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The specification is objected to for lacking in disclosure of the combination of encrypting a second key and updating the key in two parts in a single embodiment.

Applicant is required to cancel the new matter in the reply to this Office Action.

Response to Arguments

5. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

6. The claim amendments have been considered, however, the amendments are not supported by the specification. This is evidenced by ¶¶1065-1090 of the instant specification. An informal interview was conducted to avoid further action, but did not result in an agreement. An interview summary is attached.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claim 1, the claim recites "encrypting the second key with the first key" … "updating the second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The encrypting of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Regarding claim 11, the claim recites "decrypting the second key with the first key" … "updating the second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The decryption of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Regarding claim 15, the claim recites "receive a second key for decrypting content on a broadcast channel encrypted with the first key" and "receive an updated second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second

part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The decryption of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Regarding claim 22, the claim recites "means for encrypting the second key with the first key" and "means for updating the second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The encrypting of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Regarding claim 23, the claim recites "means for decrypting the second key with the first key" … "means for updating the second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The decryption of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Regarding claim 24, the claim recites "fifth set of instructions for decrypting the second key with the first key" … "eighth set of instructions for updating the second key after a second time period has elapsed, wherein the second key is updated in two parts, a first part known to the participant in the transmission and a second part sent on the broadcast channel, and wherein the first part and the second

part are concatenated to generate the second key". However, the specification does not disclose the combination of these limitations. The decryption of the second key and the concatenation of values to generate the second key are described separately in the specification and thus the specification does not enable one having ordinary skill in the art to make and/or use this invention.

Claims 2-10, 12-14, 16-21 & 25-36 are rejected based on their dependence upon one of the above claims.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL J. SIMITOSKI whose telephone number is (571)272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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